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SUBJECT Senator Walter Huddleston Interviewed

PAT BUCHANAN: ...on the Live Line with Senator Walter Huddleston of Kentucky, who's the Chairman of the Subcommittee on Charters and Guidelines of the Intelligence Community.

I think you were quoted today in The New York Times as referring to the CIA being handcuffed. Was that accurate?

SENATOR WALTER HUDDLESTON: Well, I have some concern about some of the restraints that have been on the CIA, some of them by, perhaps, legislation, some by just simply the conditions that exist. And...

BUCHANAN: Can you list them?

SENATOR HUDDLESTON: ...we are hopeful that we can provide the kind of operational charters that will strengthen the entire intelligence community, that will define their missions, that will establish perimeters within which they're to operate, and to give them the flexibility that is necessary to meet the conditions in the world that exist.

BUCHANAN: What restraints are you referring to, Senator?

SENATOR HUDDLESTON: I think the most obvious ones that are causing concern right now are the requirements of the Hughes-Ryan Amendment that requires the CIA to report to eight congressional agencies on its covert activity plans. We'd like to reduce that to the two Intelligence Committees of the Senate and the House. And they have some problems under freedom of information that we think we can modify and correct without doing violence to the objectives of our freedom of information bill.

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BUCHANAN: When was this Hughes-Ryan Act passed into law, Congressman?

SENATOR HUDDLESTON: That amendment was passed in 1974.

BUCHANAN: Would you say, then, that we overreacted in the middle '70s in our treatment of the domestic and foreign intelligence operations?

SENATOR HUDDLESON: No, Pat, I'm not going to say that we overreacted. I was on the investigating committee. We very thoroughly and exhaustively investigated the activities of the CIA. I think many of the so-called abuses were vastly overstated.

BUCHANAN: Was that the fault of the politicians or the press, Senator?

SENATOR HUDDLESTON: Oh, I would have to say possibly both. But some of us who are politicians and who participated certainly would try to be very careful in not overstating the case. But I think a reasonable report was developed by that committee.

And our objective has been, since that time, for most of us -- now, there are some who go to the extreme one way or the other. But most of us have been concerned with having the kind of legislative machinery that will give us the strongest intelligence operation in the world. We think we've got that now. We think it can be improved, and should be.

BUCHANAN: Let me ask you...

BRADEN: Let me get in here a minute, Pat.

I read that bill that Moynihan presented today with, as he pointed out at great length, your permission and acquiescence. And -- or, I guess it was yesterday. It seemed to me that you've got two things going for you in the first section of the bill, which is what you mentioned. That is, to limit the discussion of covert activities to two intelligence committees rather than to eight committees and all their staff members. The first is that you -- you know, by doing that, you do away with, or at least you limit the possibility of leaks. You limit it.

SENATOR HUDDLESTON: That is an essential purpose of it.

BRADEN: And secondly, it seems to me, Senator Huddleston, you're doing something which I personally find was the only real fault that ever came out of those hearings. I sup-

ported them and I thought they were a good thing for the agency, with the exception of Frank Church's remark -- I want to ask you to comment on this -- to the effect that the CIA was a rogue elephant, which it certainly wasn't.

The problem was, with the agency, I think, by and large was that it did things at the request of Presidents which it should not have done. And by keeping the surveillance of the Intelligence Committees, it seems to me you are thus preventing some President, some future President from saying, you know, "Go get those guys."

SENATOR HUDDLESTON: I think that's exactly the case. The CIA, in virtually every instance, was operating in what they considered to be their directions from higher authority. And what we hope to do is set up a mechanism through which approval of various types of operations has to be made and for which a record is kept, so that we can understand where the authority came from and for what reasons.

And through the oversight of the two Intelligence Committees, I think this in itself will have a tremendous inhibiting factor on those who might be inclined, in the operational level, to go out on tangents and do some things that might not be proper and might be very harmful to the United States.

BRADEN: Senator Huddleston, there's a second section of the bill, as I read it this morning, which interested me, and I don't quite understand. Maybe you can explain it to me.

I'd call the second section of the bill the sort of limit-the-Agee part.

SENATOR HUDDLESTON: We refer to it as the "Agee provisions" too.

BRADEN: Oh, do you?

SENATOR HUDDLESTON: Yeah.

BRADEN: Well, what it does, Pat, it provides for a stiff fine and a long prison sentence for anyone who knowingly tries to name CIA agents or clandestine operatives, whether in the military or in the civilian sections.

BUCHANA: Let me ask...

BRADEN: Now, the thing that I couldn't understand, there are two sections to that. And one of them provides a very stiff fine and a long prison sentence, and another one provides a smaller fine and a smaller prison sentence. And I couldn't get quite what the distinction was.

SENATOR HUDDLESTON: Well, let me say that you're referring to a bill introduced yesterday, principally by Senator Moynihan.

BRADEN: Yeah.

SENATOR HUDDLESTON: My principal work has been on comprehensive charters developed by the subcommittee which I chair. And those two are not the same, although the provisions that were introduced yesterday are all in the comprehensive charters that we expect to introduce within a couple of weeks, in some form, not exactly as they were yesterday.

The difference in the Moynihan approach and the approach that we have developed up to this point is that he would deal also with journalists who revealed the names of agents. We see some difficulty there, some constitutional aspects, First Amendment, in trying to place that kind of restriction on journalists. And we deal with only with those who have, through their employment, have come into the knowledge of these agents. And we would impose our fines on those persons who reveal, which would cover...

BUCHANAN: The leaker, not the leakee.

SENATOR HUDDLESTON: It would cover a person like Agee.

Now, it's somewhat difficult to pin a journalist down on -- he would have to be responsible for his source, which would be kind of difficult, sometime, for him to do.

Of course, you do have the "knowing" provision in there, which would offer a possibility.

But that's a difficult...

BRADEN: It's a difficult area, isn't it?

SENATOR HUDDLESTON: Yes, a difficult area to get into. And we've been trying to be very careful with it.

BRADEN: You always have the problem that many of the Agees of this world immediately become journalists.

SENATOR HUDDLESTON: Yeah. [Laughter] Well, I think even a journalist, if he got his information through employment, when they sign in with the CIA and they sign a contract, so to speak, that prohibits them from revealing any information that they may get during their employment, then that's a different matter. That becomes a contractual relation.

BUCHANAN: Senator, let me ask you this question.

You're on one of those eight committees, are you not?

SENATOR HUDDLESTON: Well, I'm on, of course, the Intelligence Committee. And I'm on the Appropriations Committee.

BUCHANAN: Okay. Now, the reason I raise that is that President Carter said to ABC -- and this is from the story in The Star tonight -- this is a direct quote, of course, and it's now famous: "My opinion of the Russians has changed most drastically in the last week than even the previous 2 1/2 years before that." And then there's another Senate source who's quoted in somewhat surprise. He's saying, "Well, we knew a hell of a lot of what was going on in Afghanistan. There was so evidence. If Carter was surprised, then he wasn't being told." And the whole story is about the considerable amount of intelligence information coming out of the American Embassy and out of Afghanistan that there was a real possibility, if not a probability, that the Russians would move.

SENATOR HUDDLESTON: Well, without commenting on the President's position, let me say that that's putting your finger on one of the conditions that has existed for some time as far as intelligence is concerned. Many times when our policy goes wrong someplace it's not an intelligence failure. The intelligence agents have done their work. They've gathered the information.

BUCHANAN: Well, that's why I want to ask...

SENATOR HUDDLESTON: What happens with it from there? Sometimes the policymakers don't read it right.

BUCHANAN: Exactly. That's why I want to ask you, as one of those who was in the line, the channel of communication, were you alerted to the fact that there was a possibility, and perhaps a probability, that the Soviet Union might move into Afghanistan?

SENATOR HUDDLESTON: Well, when you get to discussing things like probability, then you get to talking about what the intention is in somebody's mind.

BUCHANAN: Well, let me ask you. It didn't take you totally by surprise, did it?

SENATOR HUDDLESTON: Well, let me say that we had information that the troops were there, they were massing in large numbers. Now, as far as having specific information as to what their intentions were or when they intended to move, that's another question. But there's no doubt that our intelligence people knew that the troops were there.

BUCHANAN: Okay. One final question for me, and then I'll turn it over to Tom.

Senator, can you really point to any specific injury that's been done by the existence of Hughes-Ryan? Or is this more a general concern, just a reflection on the situation that we ought to reduce the numbers who have access?

SENATOR HUDDLESTON: I think there are two things that have happened. I don't think you can point to a specific case where something has leaked out because of the recording that has been -- the reporting, rather, that's been damaging to our security. But it has inhibited, probably, the CIA in even planning covert action, understanding that they would have to go to these eight committees.

And beyond that, it's probably made, and has made, some of our foreign associates, countries that we deal with in cooperation, it's made them very reluctant to enter into cooperative efforts, understanding that their involvement would also have to be reported to these eight committees.

BRADEN: I think you've just about summed it up, Senator. I think that the covert -- the active side, covert activities branch of the CIA just about shut up shop since that Hughes-Ryan Amendment was adopted. And I can see why.

So I'm glad you're doing this, as a veteran of the agency. And I'd say that everybody who's ever worked in it, with the possible exception of Agee, would say it was a fine thing.

SENATOR HUDDLESTON: Well, I think, Tom, we all have to recognize that covert activity carries with it, generally, a certain amount of risk. It ought to be entered into with some caution. And the risks and the dangers, the repercussions ought to be assessed. That's what we're saying. They ought to be assessed. And the President ought to indicate that it is important enough to take these risks in order to accomplish the objective that deals with our national security.

So, we acknowledge that. We think that we ought to have the right kind of mechanism and the right kind of charters that will permit our operations to go forward if it's necessary for them to.

BUCHANAN: Okay, Senator. Thanks and good luck.